

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WILLIAM K. DUFFY, KENNETH HUBER, PHILLIP  
CAPOBIANCO, JOHN DUFFY, PAUL O'BRIEN,  
ROBERT CARLINO, JAMES HEANEY, ROBERT P.  
POLITO, SCOTT ADRIAN and THOMAS WALTERS,  
as Trustees of LOCAL 138, 138A & 138B,  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS WELFARE FUND, LEGAL FUND,  
VACATION FUND, APPRENTICESHIP TRAINING  
FUND, AND ANNUITY FUND, AND MICHAEL  
FANNING AS CEO OF THE CENTRAL PENSION  
FUND, ,

**PLAINTIFFS'**

**STATEMENT OF DAMAGES**

CV-03-5674 (JS)(ETB)

Plaintiffs ,

- against -

BEDROCK DEVELOPMENT, INC.

Defendants .

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**I. Audit Period**

June, 2003 through December, 2003. (See June 7, 2004 Affidavit of Attorneys' Fees  
and Costs of Kristina D. Judice ["Judice Affidavit"], at Exhibit 5 thereto).

**II.** Attorneys' fees (\$1,655.00) and disbursements (\$275.00) as of June 3, 2004. See Judice  
Affidavit; see also, 29 U.S.C. §1132(g)(2)(D) and Section 2-E of the relevant Collective  
Bargaining Agreement at Exhibit B to Exhibit 1 of Judice Affidavit. . . . . \$2,080.00

Dated: Melville, New York

June 7, 2004

MEYER, SUOZZI, ENGLISH & KLEIN, P.C.

By: /s/ Kristina D. Judice

Kristina D. Judice (KDJ 6167)

Attorneys for Plaintiffs

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